

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHRISTOPHER GOODVINE,

Plaintiff,
v.

Case No. 16-cv-890-pp

BRETT VANDEWALLE, et al.,

Defendants.

**DECISION AND ORDER GRANTING DEFENDANTS' MOTION
TO STAY DEADLINES (DKT. NO. 74)**

On July 12, 2017, the court ordered the defendants to respond to the plaintiff's motion for preliminary injunction, and it set deadlines for discovery and the filing of dispositive motions. Dkt. No. 68. About two weeks later, the defendants filed a motion asking the court to dismiss the case as a sanction, based on their assertions that the plaintiff had tricked one of the defendants into signing a fabricated declaration that the plaintiff then filed in support of his complaint. Dkt. No. 70, 71.

The next day, on July 25, 2017, the defendants filed a motion asking the court to stay all deadlines pending the court's decision on the defendants' motion for dismissal. Dkt. No. 74. The defendants explained that the plaintiff filed a case in the Western District of Wisconsin (Case No. 16-703) with claims that substantially overlap the claims pending in this case. *Id.* The plaintiff also filed a motion for preliminary injunctive relief in the Western District case, which has been briefed. *Id.* District Judge William M. Conley is assigned to the

Western District case, and held a hearing on July 21, 2017; he scheduled a follow-up hearing for July 26, 2017. Id.

The court has reviewed the orders and filings in the Western District case and agrees with the defendants that much of the relief the plaintiff seeks in his motion pending in this court may be addressed by a decision from Judge Conley on the motion pending in the Western District. While the two motions are not identical, the most pressing needs in the plaintiff's motion (*e.g.*, his mental health treatment, the denial of his mail, and the restriction of his ability to communicate with the court) likely will be addressed by Judge Conley. The court agrees that it is appropriate to stay the briefing of the plaintiff's motion until after Judge Conley enters an order on the motion pending in the Western District.

The court will order the defendants to inform this court when Judge Conley has entered his decision, and then will require them to respond to any issues in the plaintiff's motion pending in this court are not addressed by Judge Conley's decision.

In addition, in light of the defendants' motion to dismiss as a sanction, the court agrees that it is appropriate to stay the discovery and dispositive motion deadlines until after the court has an opportunity to rule on that motion. The plaintiff's response to the defendants' motion is due **August 25, 2017**. If the defendants would like to file a reply in support of their motion, they must do so by **September 11, 2017**.

The court **GRANTS** the defendants' motion to stay deadlines (Dkt. No. 74). The court **STAYS** the discovery and dispositive motion deadlines. The court also **STAYS** the briefing of the plaintiff's motion for preliminary injunction.

The court **ORDERS** the defendants to inform the court of Judge Conley's decision on the plaintiff's motion for preliminary injunction within **fourteen days** of receiving the decision. The court **ORDERS** the defendants to identify and respond to any issues raised in the plaintiff's motion pending in this court that are not addressed by Judge Conley's decision.

Finally, the court **ORDERS** the plaintiff to respond to the defendants' motion to dismiss as a sanction (Dkt. No. 70) by **August 25, 2017**. If the defendants would like to file a reply, they must do so by **September 11, 2017**.

Dated in Milwaukee, Wisconsin this 27th day of July, 2017.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge